SUPREME COURT MINUTES WEDNESDAY, APRIL 1, 1998 SAN FRANCISCO, CALIFORNIA

S067557 People, Respondent

6th Dist. v.

H015991 Martin Ramos Lopez, Appellant

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People* v. *Nelson*, S053008 and *People* v. *Deloza*, S061929 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J. Mosk, J. Kennard, J. Baxter, J. Werdegar, J. Chin, J. Brown, J.

S067687 People, Respondent

2nd Dist. v.

B111200 Curtis Clayton, Appellant

Div. 2 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People* v. *Nelson*, S053008 and *People* v. *Deloza*, S061929 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S051097 People, Appellant

4th Dist. v.

D022170 Mario Serrano Lopez, Respondent

Div. 1 The above-entitled review is hereby transferred to the Court of

Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People* v. *Superior Court (Romero)* (1996) 13 Cal.4th 497 and *People* v.

Bailey (1996) 45 Cal. App. 4th 926.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S051310 People, Respondent

4th Dist. v.

G016604 Usumang Muhamed, Appellant

Div. 3 Pursuant to rule 29.4(c), California Rules of Court, the above-

entitled review is DISMISSED and cause is remanded to the Court of

Appeal, Fourth Appellate District, Division Three.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S052399 People, Respondent

6th Dist. v.

H012777 Rolly Chany et al., Appellants

Pursuant to rule 29.4(c), California Rules of Court, the aboveentitled review is DISMISSED and cause is remanded to the Court of Appeal, Sixth Appellate District.

> George, C.J. Mosk, J. Kennard, J. Baxter, J. Werdegar, J. Chin, J. Brown, J.

S056331 People, Respondent

6th Dist. v.

H013647 Jesse Richard Leon et al., Appellants

Pursuant to rule 29.4(c), California Rules of Court, the aboveentitled review is DISMISSED and cause is remanded to the Court of Appeal, Sixth Appellate District.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S052788 People, Plaintiff and Respondent 4th Dist. G012404 Edwin Winslow Bennett, Defendant and Appellant Div. 3

In re Edwin Winslow Bennett on Habeas Corpus

BY THE COURT:

Opinion modified. This modification does not affect the judgment.

S060180 People, Respondent

2nd Dist.

B098009 Russell D. Woodell, Appellant Div. 6 Petition for rehearing DENIED.

Mosk, J., Kennard, J., are of the opinion the petition should be

granted.

Opinion modified.

In re James Reed S067791

on

Habeas Corpus

Pursuant to written request of petitioner, the above entitled petition for writ of habeas corpus is ordered withdrawn.

Horace Kelly, Petitioner S069126

Marin County Superior Court, Respondent

People, Real Party in Interest

Application for stay and petition for writ of mandate DENIED without prejudice to a further petition and application for stay pending further proceedings in the sanity hearing under Penal Code section 3700 et seq.

1st Dist. People, Respondent

A074440

Div. 4 Carl Wayne Anderson, Appellant

S067582 Appellant's petition for review DENIED.

1st Dist. Economic Empowerment Foundation, Appellant A074592 V. Div. 3 Charles Quackenbush, Respondent S067936 State Farm Mutual Automobile Insurance Company et al., Respondents Petition for review DENIED. Mosk, J., and Kennard, J., are of the opinion the petition should be granted. The requests for an order directing publication of the opinion are DENIED. 1st Dist. People, Respondent A074656 v. Div. 3 John E. Yi, Appellant S067666 Appellant's petition for review DENIED. 1st Dist. People, Respondent A074843 v. Div. 1 Victor Gillispie, Appellant Petitions for review DENIED. S067651 Baxter, J., is of the opinion review should be granted. 1st Dist. G. S. Roe, Appellant A075617 v. Div. 5 State Personnel Board et al., Respondents Department of Justice et al., Real Parties in Interest S068198 Petitions for review DENIED. 1st Dist. Trans-Action Commerical Investors Limited et al., Respondents A075777 Div. 3 Donald A. Jelinek, Appellant S067640 Respondents' petition for review DENIED. George, C.J., and Baxter, J., did not participate in light of the appearance of the judicial Council as amicus curiae in these proceedings. 1st Dist. People, Respondent A075886 v. Div. 1 Anthony L. Webb, Appellant

Appellant's petition for review DENIED.

S068167

1st Dist. A076290 Div. 4 S068249	In re Kristina H., a Person Coming Under the Juvenile Court Law
	San Mateo County Youth and Family Services, Respondent v. Robin K., Appellant
	Petition for review DENIED.
1st Dist. A076816	People, Respondent v.
Div. 3 S067639	Michael P. Jack, Appellant Appellant's petition for review DENIED.
1st Dist. A080296	David Pitner et al., Petitioners
Div. 3	Contra Costa County Superior Court, Respondent
S068143	Kaiser Foundation Hospitals et al., Real Parties in Interest Petition for review DENIED.
1st Dist. A080417	Philip Haimowicz, Petitioner v.
Div. 4	San Francisco County Superior Court, Respondent
S067882	Lincoln Property Company Management Services, Real Party in Interest
	Application for stay and petition for review DENIED.
1st Dist. A081586	William E. Patton et al., Petitioners v.
Div. 4	Contra Costa County Superior Court, Respondent
S068129	Frank B. Hall III, Real Party in Interest Petition for review DENIED.
1st Dist. A081763	Pacific Bell et al., Petitioners v.
Div. 1 S068706	San Francisco County Superior Court, Respondent Insurance Company of North America et al., Real Parties in Interest
	Application for stay and petition for review DENIED.

1st Dist. A081913 Div. 5 S068879	Donna Signorelli, Petitioner v. Contra Costa County Superior Court, Respondent James Cassaday, Real Party in Interest Application for stay and petition for review DENIED.
2nd Dist. B097361 Div. 4 S067877	Angeline Yeap, Appellant v. Donald Leake et al., Respondents Petition for review DENIED.
2nd Dist. B100223 Div. 3 S068007	Irma R. Torres, Appellant v. Department of Industrial Relations, etc., Respondent Petition for review DENIED.
2nd Dist. B100706 Div. 3 S067751	People, Respondent v. Erald Lewis Hempstead, Appellant Appellant's petition for review DENIED.
2nd Dist. B101285 Div. 6 S068269	Fereydoon Lavi, Appellant v. Northrop Corporation, Respondent Petition for review DENIED.
2nd Dist. B101929 Div. 1 S068272	People, Respondent v. William Q. Santos, Appellant Appellant's petition for review DENIED.
2nd Dist. B103471 Div. 7 S068209	People, Respondent v. Richard Dor, Appellant Appellant's petition for review DENIED.
2nd Dist. B103456 Div. 4 S067460	People, Respondent v. Roger Allen Perry, Appellant Petitions for review DENIED.

2nd Dist. B104397 Div. 2 S068173	People, Respondent v. Orlanzer Scott, Appellant Appellant's petition for review DENIED.
2nd Dist. B105279 Div. 4 S067357	People, Respondent v. Simon Caceres et al., Appellants Appellants' petitions for review DENIED.
2nd Dist. B105523 Div. 2 S068265	People, Respondent v. Marcia Yadira Martinez, Appellant Appellant's petition for review DENIED.
2nd Dist. B105571 B110008 Div. 3 S067644	Lechuza Villas West, Respondent v. California Coastal Commission et al., Appellants And Companion Case Petition for review DENIED.
2nd Dist. B106092 Div. 5 S067421	People, Respondent v. Anthony Sampson, Appellant Appellant's petition for review DENIED.
2nd Dist. B106288 Div. 7 S068271	People, Respondent v. David Mix, Appellant Appellant's petition for review DENIED.
2nd Dist. B106551 Div. 7 S067400	People, Respondent v. Brian Cavanaugh, Appellant Appellant's petition for review DENIED.
2nd Dist. B106808 Div. 3 S068266	People, Respondent v. Leslie Tremayne Hayes, Appellant Appellant's petition for review DENIED.

2nd Dist. B107027 Div. 7 S068161	People, Respondent v. Olman Morales, Appellant Appellant's petition for review DENIED.
2nd Dist. B107125 Div. 4 S068201	People, Respondent v. Roque Martinez Teran, Appellant Appellant's petition for review DENIED.
2nd Dist. B107770 Div. 5 S068180	People, Respondent v. Philip Rowland, Appellant Appellant's petition for review DENIED.
2nd Dist. B109511 Div. 6 S068199	People, Respondent v. Albert Felix Cruz, Appellant Appellant's petition for review DENIED.
2nd Dist. B109612 4th Dist. S067607	People, Respondent v. Jawad James, Appellant Appellant's petition for review DENIED.
2nd Dist. B109630 Div. 7 S068179	People, Respondent v. Damion Herd, Appellant Appellant's petition for review DENIED.
2nd Dist. B109959 Div. 3 S067619	People, Petitioner v. Los Angeles County Superior Court, Respondent Alonzo Blakely, Real Party in Interest Real Party in Interest's petition for review DENIED. Mosk, J., and Werdegar, J., , is of the opinion the petition should be granted.

2nd Dist. B110489 Div. 6 S068260	People, Respondent v. Lance David Pauley, Appellant Appellant's petition for review DENIED.
2nd Dist. B110618 Div. 5 S068202	People, Respondent v. Adrian Galvan, Appellant Appellant's petition for review DENIED.
2nd Dist. B111185 Div. 1 S068172	People, Respondent v. Alejandro Castro, Appellant Appellant's petition for review DENIED.
2nd Dist. B111260 Div. 3 S068183	People, Respondent v. Reginald Lamont Cooper, Appellant Petition for review DENIED.
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2nd Dist. B111516 Div. 2 S068285	People, Respondent v. Jose Manuel Ruano, Appellant Appellant's petition for review DENIED.
B111516 Div. 2	v. Jose Manuel Ruano, Appellant
B111516 Div. 2 S068285 2nd Dist. B112519 Div. 4	v. Jose Manuel Ruano, Appellant Appellant's petition for review DENIED. People, Respondent v. James Anthony Sales, Appellant

2nd Dist. B113800 Div. 3 S068251	People, Respondent v. Eric Brown, Appellant Appellant's petition for review DENIED.
2nd Dist. B117193 Div. 6 S068027	Terrie Farr, Petitioner v. Workers' Compensation Appeals Board, Respondent State Compensation Insurance Fund, Respondent Petition for review DENIED.
2nd Dist. B117668 Div. 2 S067910	In re Felix Q. Martinez on Habeas Corpus Petition for review DENIED.
2nd Dist. B117676 Div. 6 S068052	Norma Farrant, Petitioner v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
2nd Dist. B118877 Div. 1 S068252	Dwight Dwayne Grandberry, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
2nd Dist. B119175 Div. 1 S068171	Tommy Serrano Onofre, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED.
2nd Dist. B119728 Div. 2 S068722	Nelson R. Pelletier, Petitioner v. Los Angeles County Superior Court, Respondent Regents of the University of California, Real Party in Interest Application for stay and petition for review DENIED.

2nd Dist. B120158 Div. 3 S069027	Larry Dominguez, Petitioner v. Los Angeles County Superior Court, Respondent People, Real Party in Interest Application for stay and petition for review DENIED.
3rd Dist. C022519 S067324	People, Respondent v. William Edward Rouser, Appellant Respondent's petition for review DENIED. Baxter, J., is of the opinion the petition should be granted. The request for an order directing depublication of the opinion is DENIED.
3rd Dist. C023729 S067632	People, Respondent v. Theresa Gloria Alegre, Appellant Appellant's petition for review DENIED.
3rd Dist. C024458 S068242	People, Respondent v. Ira Lee Swanson, Appellant Appellant's petition for review DENIED.
3rd Dist. C024568 S068262	People, Respondent v. Gary Otto Meyer, Appellant Appellant's petition for review DENIED.
3rd Dist. C024776 S068240	People, Respondent v. Randy A. Sanderson, Appellant Appellant's petition for review DENIED.
3rd Dist. C024918 S057927	Stanley Janzen (Deceased) et al., Petitioners v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED. The request for an order directing depublication of the opinion is DENIED.

3rd Dist. C025000 S068236	People, Respondent v. James Alva Devlin, Appellant Appellant's petition for review DENIED.
3rd Dist. C025987 C026146 S067621	People, Respondent v. Antonio Valencia Mora Antonio Ruiz Barajas et al., Appellants Appellants' petition for review DENIED.
3rd Dist. C026127 S068188	People, Respondent v. Claude W. Taylor, Appellant Appellant's petition for review DENIED.
3rd Dist. C026237 S068300	People, Respondent v. Dorothy May McNeill, Appellant Appellant's petition for review DENIED.
3rd Dist. C028791 S068568	John A. Bertsch, Petitioner v. Sacramento County Superior Court, Respondent Application for stay and petition for review DENIED.
3rd Dist. C028833 S068852	In re Bernard Clark on Habeas Corpus Petition for review DENIED.
4th Dist. D024081 Div. 1 S067756	People, Respondent v. Raymond Charles Broome, Appellant Appellant's petition for review DENIED.

4th Dist. D025024 D025023 D024993 Div. 1 S067513	People, Respondent V. William Thomas Harrison, Appellant Petitions for review DENIED. Baxter, J., is of the opinion the respondent's petition should be granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal, filed December 18, 1997, which appears at 60 Cal.App.4th 107. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
4th Dist. D025518 Div. 1 S067652	People, Respondent v. Eugene Gailord, Appellant Respondent's petition for review DENIED.
4th Dist. D026522 Div. 1 S067980	People, Respondent v. Andrew Elias, Appellant Appellant's petition for review DENIED.
4th Dist. D026524 Div. 1 S067599	People, Respondent v. Sergio Al-Quintero, Appellant Appellant's petition for review DENIED.
4th Dist. D027164 Div. 1 S068175	People, Respondent v. Michael Francis Wensel, Appellant Appellant's petition for review DENIED.
4th Dist. D027755 Div. 1 S067612	People, Respondent v. Gloria Elizabeth Beal, Appellant Appellant's petition for review DENIED. Mosk, J., and Kennard, J., are of the opinion the petition should be granted. The request for an order directing depublication of the opinion is

DENIED.

4th Dist. D027850 Div. 1 S067596	In re Armando G., a Person Coming Under the Juvenile Court Law
	People, Respondent v.
	Armando G., Appellant Petition for review DENIED.
	Mosk, J., is of the opinion the petition should be granted.
4th Dist. D029595	In re Theresa Annette Torricellas on
Div. 1	Habeas Corpus
S068298	Petition for review DENIED.
4th Dist.	Protel Incorporated, Petitioner
D030216 Div. 1	v. San Diego County Superior Court, Respondent
S067839	Judith E. Bernier et al., Real Parties in Interest
	Petition for review DENIED.
4th Dist. D030260	Courtaulds Coatings Incorporated, Petitioner v.
Div. 1	San Diego County Superior Court, Respondent
S067908	Crown Chemical Corporation, Real Party in Interest Petition for review DENIED.
4th Dist. D030460	Kenneth Ray Bradford, Petitioner
Div. 1	San Diego County Superior Court, Respondent
S068768	People, Real Party in Interest Application for stay and petition for review DENIED.
	Application for stay and petition for feview DENIED.
4th Dist. E016259	City of Lake Elisnore, Appellant v.
Div. 2	Ranel Development Company, Respondent
S068101	Petition for review DENIED. Mosk, J., Kennard, J., and Brown, J., are of the opinion the
	petition should be granted.
	The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal,
	filed January 13, 1998, which appears at 60 Cal.App.4th 974. (Cal.
	Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

4th Dist. E018299 Div. 2 S067603	People, Respondent v. Richard Lawrence Walker, Appellant Appellant's petition for review DENIED.
4th Dist. E019027 Div. 2 S068244	People, Respondent v. Ruben Joseph Bentancourt, Appellant Appellant's petition for review DENIED.
4th Dist. E019535 Div. 2 S068268	People, Respondent v. Monroe Young, Appellant Appellant's petition for review DENIED.
4th Dist. E019654 Div. 2 S068237	People, Respondent v. Mark Timothy Morton, Appellant Appellant's petition for review DENIED.
4th Dist. E021898 Div. 2 S067955	San Bernardino County Superintendent of Schools, Petitioner v. Workers' Compensation Appeals Board, Respondent Pamela Satterly, Respondent Petition for review DENIED.
4th Dist. G020384 Div. 3 S068270	People, Respondent v. Michael Crowe et al., Appellants Appellants' petitions for review DENIED.
5th Dist. F026852 S067915	People, Respondent v. Juan Contreras, Appellant Appellant's petition for review DENIED.
5th Dist. F027004 S067553	People, Respondent v. Luis Manuel Casillas, Appellant Appellant's petition for review DENIED.

5th Dist. F027460 S067930	People, Respondent v. Gary Aaron Allen, Appellant Appellant's petition for review DENIED.
5th Dist. F027530 S068233	People, Respondent v. Cedric A. Nelson, Appellant Appellant's petition for review DENIED.
5th Dist. F027576 S068238	People, Respondent v. Lane Michael James, Appellant Appellant's petition for review DENIED.
5th Dist. F027856 S068241	People, Respondent v. Dustin Ryan Henry, Appellant Appellant's petition for review DENIED.
6th Dist. H015380 S067521	People, Respondent v. Max Henry Denize, Appellant Appellant's petition for review DENIED.
6th Dist. H015414 H017256 S067622	People, Respondent v. Anthony Alexander Campbell, Appellant In re Anthony Alexander Campbell on Habeas Corpus Appellant's petition for review DENIED.
6th Dist. H015918 S068195	People, Respondent v. Maria Esther Ortiz, Appellant Appellant's petition for review DENIED.
6th Dist. H015931 S067503	People, Respondent v. Ronnie Allen Beasley, Appellant Appellant's petition for review DENIED.

6th Dist. H015978 S067597	People, Respondent v. Regina Maria Baldini, Appellant Appellant's petition for review DENIED.			
6th Dist. H016110 S067526	People, Respondent v. David Joel Breckler, Appellant Appellant's petition for review DENIED.			
6th Dist. H016646 S068206	People, Respondent v. Tan Minh Tran, Appellant Appellant's petition for review DENIED.			
6th Dist. H018012 S068061	In re Leonard Patrick Clark on Habeas Corpus Petition for review DENIED.			
2nd Dist. B109410 Div. 2 S067426	Universal Bank, Appellant v. Lawyers Title Insurance Company et al., Respondents On the recommendation of the Court of Appeal pursuant to rule 978 of the California Rules of Court, the Reporter of Decisions is directed to publish the opinion in the above-entitled appeal in the Official Reports. (See subdivision (c) of rule 978, California Rules of Court.)			
2nd Dist. B105754 Div. 5 S067798	Todd Lethbridge, Appellant v. Johnson & Johnson et al., Respondents The request for an order directing publication of the opinion in the above entitled cause is DENIED.			
3rd Dist. C024714 S067635	Robert J. Gilstrap et al., Respondents v. A. Teichert & Son Incorporated, Appellant M.W. Sherwood Incorporated, Appellant The request for an order directing publication of the opinion in the above entitled cause is DENIED.			

4th Dist. E018278 Div. 2 S067727	Keller Peak Repeater Association Board of Director, Respondent v. Ronald R. Ames, Appellant The request for an order directing publication of the opinion in the above entitled cause is DENIED.
S068150	In re the Accusation of Sylvia Glucksman Against Certain Attorney(s) Petition DENIED.
S068256	In re the Accusation of Steven Allgeier Against Certain Attorney(s) Petition DENIED.
S068355	In re the Accusation of Ruby Mischal et al. Against Certain Attorney(s) Petition DENIED.
S068563	In re the Accusation of James Joseph Brown Against Certain Attorney(s) Petition DENIED.

S018815 People, Respondent

v.

Raymond Anthony Gurule, Appellant

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to and including May 4, 1998.

S029489 People, Respondent

v.

Alphonso Howard, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including June 5, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S029551 People, Respondent

v.

Joe Edward Johnson, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including May 26, 1998, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

_No.__ Inquiry Concerning Former Judge George W. Trammell III, No. 146

Upon the request of the Commission on Judicial Performance for the appointment of three special masters in the above proceedings, the following judges, selected by the commission from a list submitted by the Supreme Court, are hereby appointed special masters to hear and take evidence in such matter and report thereon to the commission. (See rule 121, Rules of Com. on Judicial Performance.)

- Hon. Robert K. Puglia
 Court of Appeal, Third Appellate District
- 2. Hon. Daniel J. Kremer Court of Appeal, Fourth Appellate District, Div. One
- Hon. Francisco P. Briseno
 Orange County Superior Court

 Justice Puglia is designated presiding special master.

Dated: April 1, 1998

Ronald M. George Chief Justice of California and Chairperson of the Judicial Council

S004636 People, Respondent

Crim.

23833

Stephan Louis Mitcham, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant, filed March 4, 1998, is granted.

The order appointing Paul L. Hoffman as counsel of record for appellant Stephan Louis Mitcham, filed January 3, 1985, is hereby vacated.

The California Appellate Project and Neoma Kenwood are hereby appointed as attorneys of record for appellant Stephan Louis Mitcham, the former as lead counsel and the latter as associate counsel. Counsel are appointed for purposes of all appropriate post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S007779 People, Respondent

V.

Jose Arnaldo Rodrigues, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant, filed March 5, 1998, is hereby granted.

The order appointing the State Public Defender as counsel of record for appellant Jose Arnaldo Rodrigues, filed August 7, 1989, is hereby vacated.

The California Appellate Project and Jeannie R. Sternberg are hereby appointed as attorneys of record for appellant Jose Arnaldo Rodrigues, the former as lead counsel and the latter as associate counsel. Counsel are appointed for purposes of all appropriate post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S066991 People, Respondent

v.

Juan J. Sanchez, Appellant

Upon request of appellant for appointment of counsel, Jo Anne D. Roake is hereby appointed to represent appellant on his appeal now pending in this court.